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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Nobuaki HASHIMOTO

Group Art Unit: 2822

Application No.: 09/615,503

Examiner: D. GRAYBILL

Filed: July 13, 2000

Docket No.: 101929.02

For: SEMICONDUCTOR DEVICE, METHOD OF FABRICATING THE SAME, AND  
ELECTRONIC APPARATUS

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the June 7, 2006 Election of Species Requirement, Applicant provisionally elects the Species directed to Figure 5, with traverse. Claim 3 reads on the elected Species. Claims 1, 2 and 9-23 are generic claims.

It is also respectfully submitted that the subject matter of all claims and species is sufficiently related that a thorough search for the subject matter of any one claim or species would encompass a search for the subject matter of the remaining claims and species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present

application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Additionally, Applicants respectfully request rejoinder and allowance of the nonelected claims should any of the generic claims, upon which they depend, be allowed.

Respectfully submitted,



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JAO:JEG/tls

Date: July 6, 2006

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